



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

July 16, 2013

Kerry Farnum
1071 Woodduck Road
Cle Elum, WA 98922

Re: Determination of Water Budget Neutrality for Request No. G4-35601

Dear Ms. Farnum:

The previous letter dated July 16, 2013 was addressed in error to your agent. Please retain this amended letter dated July 17, 2013 for your records.

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on April 25, 2013.

In accordance with Washington Administrative Code (WAC) 173-539A, Ecology has determined your proposed appropriation of groundwater, as mitigated by the trust water right identified in your request, will be water budget neutral with respect to Total Water Supply Available at Parker.

The information in the table below was based on the documents you provided.

Proposed Uses and Mitigation Offered

Use	Proposed Total Annual Quantity (ac-ft/yr*)	Proposed Mitigation (ac-ft/yr*)
Indoor	0.392	0.118
Outdoor	0.108	0.097
Total	0.500	0.215

*ac-ft/yr = acre-feet per year (1 acre-foot = 325,851 gallons)

Consumptive use, totaling 0.215 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-01467@11sb3a(A). The total consumptive use does not exceed the amount of water available under the subject trust water right during the irrigation season nor does it exceed the availability of unused Bureau of Reclamation storage capacity to retain the subject portion of the trust water right for later release during the non-irrigation season. Please refer to the enclosed Advisory Letter for additional information.

FILE COPY



Ecology has determined, based on review of your Request for Water Budget Neutral Determination and the accompanying materials, your proposed use of groundwater will be Water Budget Neutral as follows:

1. Water use is to be made within Parcel No. 952195 located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, all in T. 20 N., R. 16 E.W.M.
2. In-home water use is one connection, resulting in a consumptive use of 0.118 ac-ft/yr.
3. Outdoor irrigation use is 0.057 acres, resulting in a consumptive use of 0.097 ac-ft/yr.
4. The proposed well(s) will be located in Parcel No. 952195, located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, all in T. 20 N., R. 16 E.W.M.
5. Water use shall be recorded and reported as required under WAC 173-539A-070 and as described in the Advisory Letter enclosure.
6. You will record with the Kittitas County Auditor a property covenant as required under WAC 173-539A-050 that restricts or prohibits trees or shrubs over a septic drain field on Parcel No. 952195.
7. You will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right No. CS4-01467@11sb3a(A) to offset consumptive use as described in this letter.
8. You will pay to Ecology the sum of \$57.82 which represents a proportionate amount of the payment due and owing to the United States for storage and deliver of water under Paragraph 15(a) of Water Storage and Exchange Contract No. 09XX101700, between the Bureau of Reclamation and the State of Washington Department of Ecology, Yakima Project, Washington, dated January 29, 2009.¹ The consumptive use of 0.073 acre-feet from September 16 through March 31 is subject to the terms and conditions in the Water Storage and Exchange Contract No. 09XX101700.
9. Any valid priority calls against Trust Water Right No. CS4-01467@11sb3a(A) based on local limitations in water availability, will result in temporary curtailment of the use of water until the priority call for water ends.

¹ Water Storage and Exchange Contract No. 09XX101700 between the Bureau of Reclamation and the State of Washington Department of Ecology.

FILE COPY

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION	
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW, Ste 301 Tumwater WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>

If you have any questions, please contact Teresa Mitchell at (509) 575-2597.

Sincerely,



Mark Kemner, Section Manager
Water Resources Program

MK:KW:ba 130708

Enclosures: Your Right To Be Heard
Advisory Letter
Water Measuring Requirement and Form 1

By Certified Mail: 7009 2250 0004 4950 9383

cc: Erin Moore, Kittitas County Public Health
Jason McCormick, Washington Water Trust
Philip Rigdon, Director, Natural Resources Division, Yakama Nation

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

Postmark
Here

7/17/03

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

Kenny Farnum

64-35601

PS Form 3800, August 2006

See Reverse for Instructions

7009 2250 0004 4950 9383



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

July 16, 2013

Washington Water Trust
Attn: Jason McCormick
103 East 4th Avenue, Suite 23
Ellensburg, WA 98926

Re: Determination of Water Budget Neutrality for Request No. G4-35601

Dear Mr. McCormick:

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on April 25, 2013.

In accordance with Washington Administrative Code (WAC) 173-539A, Ecology has determined your proposed appropriation of groundwater, as mitigated by the trust water right identified in your request, will be water budget neutral with respect to Total Water Supply Available at Parker.

The information in the table below was based on the documents you provided.

Proposed Uses and Mitigation Offered

Use	Proposed Total Annual Quantity (ac-ft/yr*)	Proposed Mitigation (ac-ft/yr*)
Indoor	0.392	0.118
Outdoor	0.108	0.097
Total	0.500	0.215

*ac-ft/yr = acre-feet per year (1 acre-foot = 325,851 gallons)

Consumptive use, totaling 0.215 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-01467@11sb3a(A). The total consumptive use does not exceed the amount of water available under the subject trust water right during the irrigation season nor does it exceed the availability of unused Bureau of Reclamation storage capacity to retain the subject portion of the trust water right for later release during the non-irrigation season. Please refer to the enclosed Advisory Letter for additional information.

Ecology has determined, based on review of your Request for Water Budget Neutral Determination and the accompanying materials, your proposed use of groundwater will be Water Budget Neutral as follows:

1. Water use is to be made within Parcel No. 952195 located within the NW¹/₄NW¹/₄ of Section 35, SW¹/₄SW¹/₄ of Section 26, and SE¹/₄SE¹/₄ of Section 27, all in T. 20 N., R. 16 E.W.M.

FILE COPY



2. In-home water use is one connection, resulting in a consumptive use of 0.118 ac-ft/yr.
3. Outdoor irrigation use is 0.057 acres, resulting in a consumptive use of 0.097 ac-ft/yr.
4. The proposed well(s) will be located in Parcel No. 952195, located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, all in T. 20 N., R. 16 E.W.M.
5. Water use shall be recorded and reported as required under WAC 173-539A-070 and as described in the Advisory Letter enclosure.
6. You will record with the Kittitas County Auditor a property covenant as required under WAC 173-539A-050 that restricts or prohibits trees or shrubs over a septic drain field on Parcel No. 952195.
7. You will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right No. CS4-01467@11sb3a(A) to offset consumptive use as described in this letter.
8. You will pay to Ecology the sum of \$57.82 which represents a proportionate amount of the payment due and owing to the United States for storage and deliver of water under Paragraph 15(a) of Water Storage and Exchange Contract No. 09XX101700, between the Bureau of Reclamation and the State of Washington Department of Ecology, Yakima Project, Washington, dated January 29, 2009.¹ The consumptive use of 0.073 acre-feet from September 16 through March 31 is subject to the terms and conditions in the Water Storage and Exchange Contract No. 09XX101700.
9. Any valid priority calls against Trust Water Right No. CS4-01467@11sb3a(A) based on local limitations in water availability, will result in temporary curtailment of the use of water until the priority call for water ends.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

¹ Water Storage and Exchange Contract No. 09XX101700 between the Bureau of Reclamation and the State of Washington Department of Ecology.

FILE COPY

- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

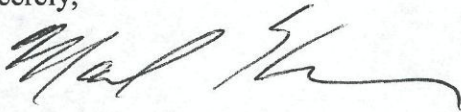
ADDRESS AND LOCATION INFORMATION	
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW, Ste 301 Tumwater WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>

If you have any questions, please contact Teresa Mitchell at (509) 575-2597.

Sincerely,



Mark Kemner, Section Manager
Water Resources Program

MK:KW:ba
130703

Enclosures: Your Right To Be Heard
Advisory Letter (white sheet)
Water Measuring Requirement and Form 1

By Certified Mail: 7009 2250 0004 4950 9345

cc: Erin Moore, Kittitas County Public Health
Kerry Farnum
Philip Rigdon, Director, Natural Resources Division, Yakama Nation

7009 2250 0004 4950 9345

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

7/16/13

Sent To	Washington Water Trust
Street, Apt. No., or PO Box No.	Kenny Barnum
City, State, ZIP+4	CO - 35601

PS Form 3800, August 2006

See Reverse for Instructions